

ENTERED

March 11, 2020

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RINGERS	§	CIVIL ACTION NO.
TECHNOLOGIES LLC,	§	4:18-cv-04347
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
GEORGE HARMER,	§	
Defendant.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Before the Court is the Memorandum and Recommendation signed by the Magistrate Judge on February 13, 2020. Dkt 78. She there resolved Plaintiff Ringers Technologies LLC's partial motion to dismiss Defendant George Harmer's third amended counterclaims and to strike the third affirmative defense. Dkt 38.

The Court received no objection. And so, the Court need only satisfy itself that there is no clear error on the face of the record in order to accept the Memorandum and Recommendation. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1420 (5th Cir 1996); see also FRCP 72(b) Advisory Comm Note (1983).

The Court has reviewed the pleadings, the record, and the applicable law. No clear error appears.


The Court ADOPTS the Memorandum and Recommendation as this Court's Memorandum and Order.

The Court GRANTS IN PART and DENIES AS MOOT IN PART Ringers' motion for partial dismissal. Dkt 38.

The motion with respect to counterclaim counts XIII, XIV, XV, and XVI is MOOT.

The Court DISMISSES counterclaim counts XVII and XVIII.
The Court STRIKES Ringers' affirmative defense of invalidity.
SO ORDERED.

Signed on March 11, 2020 at Houston, Texas.


Hon. Charles Eskridge
United States District Judge